

**UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION**

Kristin Mazzell, Sharon Shuler and )  
George Winningham, )  
 )  
Plaintiffs, )  
vs. )  
 )  
George Oliver Coroner for Berkeley )  
County and Berkeley County, )  
 )  
Defendants. )  
\_\_\_\_\_ )

Case No.: 2:20-cv-03937-DCN

**NOTICE OF REMOVAL**

TO: The Honorable Judges of the United States District Court for the District of South Carolina

Defendants file this Notice of Removal to remove this action from the Court of Common Pleas for the Ninth Judicial Circuit for the State of South Carolina to this Court pursuant to Rules 28 U.S.C. §§ 1331 and 1441(c). In support of this Notice, Defendants would show the following:

I.

On October 12, 2020, an action was filed in the Court of Common Pleas for the Ninth Judicial Circuit, Berkeley County, State of South Carolina, captioned “*Kristin Mazzell, Sharon Shuler and George Winningham vs. George Oliver Berkeley County Coroner and Berkeley County*” and designated Case No.: 2020-CP-08-02254. A copy of the Summons and Complaint is attached hereto as “Exhibit A.” Defendants accepted service of the Summons and Complaint on October 21, 2020.

II.

The action referred to in Paragraph I is a civil action over which this Court has original and removal jurisdiction under 28 U.S.C. § 1331 and 28 U.S.C. § 1441 (a) and (c). Specifically, the Complaint alleges violations of the Fair Labor Standards Act (“FLSA”) and/or alleges claims that are subject to the FLSA, including preemption by the FLSA.

III.

This Notice of Removal has been filed within thirty (30) days after the earliest date of service of the Summons and Complaint, and the time for filing this Notice of Removal pursuant to 28 U.S.C. § 1446(b) has not expired.

IV.

Written notice of the filing of this Notice of Removal will be promptly served on counsel for Plaintiffs.

V.

A true and correct copy of this Notice of Removal will be filed with the Clerk of the Court of Common Pleas for the Ninth Judicial Circuit, Berkeley County, State of South Carolina, as provided under 28 U.S.C. § 1446(d).

WHEREFORE, Defendants remove this action to this Court’s jurisdiction.

s/ Bob J. Conley

Caroline Wrenn Cleveland (FID #5478)

Bob J. Conley (FID #6791)

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Charleston, South Carolina  
November 11, 2020

**CERTIFICATE OF SERVICE**

I certify that the foregoing Notice of Removal was served on the below counsel of record on November 11, 2020 via email and by U.S. Mail to the address as follows:

Marybeth Mullaney  
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marybeth@mullaneylaw.net

  
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Loretta M. Plitnick  
Paralegal